

**BOARD OF PSYCHOLOGY  
Quarterly Board Meeting  
Open Session Minutes**

**Mission Inn  
3649 Mission Avenue  
Riverside, CA 92501**

**Friday, May 4, 2001**

The open session meeting was called to order by the President, Martin Greenberg, Ph.D. at 1:05 p.m. A quorum was present and due notice had been sent to all interested parties.

**Present:**

Martin Greenberg, Ph.D., President  
Pamela Harmell, Ph.D.  
Lisa Kalustian  
Marilyn Palarea  
Mary McMillan  
Mary Ellen Early

**Others Present:**

Thomas O'Connor, Executive Officer  
LaVonne Powell, Legal Counsel  
Jeffrey Thomas, Assistant Executive Officer  
Kathi Burns, Enforcement Coordinator  
Lavinia Snyder, Licensing and Examination Coordinator

**Agenda Item #1 - Committee Meetings**

The Credentials Committee, Examination Committee, Enforcement Committee, Legislation Committee and Consumer Education Committee met to discuss and formulate recommendations to the Board.

The Board adjourned into closed session at 3:00 p.m.

**Saturday, May 5, 2001**

The open session meeting was called to order by the President, Martin Greenberg, Ph.D. at 9:00

a.m. A quorum was present and due notice had been sent to all interested parties.

**Present were:**

Martin Greenberg, Ph.D., President  
Pamela Harmell, Ph.D.  
Lisa Kalustian  
Marilyn Palarea  
Mary McMillan  
Mary Ellen Early

**Others Present:**

Thomas O'Connor, Executive Officer  
LaVonne Powell, Legal Counsel  
Jeffrey Thomas, Assistant Executive Officer  
Kathi Burns, Enforcement Coordinator  
Lavinia Snyder, Licensing and Examination Coordinator

**Agenda Item #6 - Approval of the March 9 and 10, 2001 Open Session Minutes**

M(Kalustian)/S(McMillan)/C to approve the March 9 and 10, 2001 open session minutes with corrections.

Vote: 5-0 (Ms Palarea abstained due to her absence at the March 10, 2001 meeting)

**Agenda Item #7 - President's Report - Dr. Greenberg**

**a. OER and BOP Review of Oral Examination**

A memorandum from Dr. Norman Hertz, Chief of the Office of Examination Resources, was presented. The memo addressed the following questions: 1) does the Board of Psychology need an oral examination to determine minimal competency for licensure; 2) if so, does the current oral examination meet this goal; and 3) if not, are additional requirements necessary to determine minimal competency for licensure?

Dr. Greenberg reported that based on Dr. Hertz's recommendations minimum competency could be met by 1) the requirement of a doctoral degree in psychology, 2) successful completion of 3000 hours of supervised professional experience, 3) passing the EPPP, and 4) replacing the current oral examination with the California Jurisprudence and Professional Ethics Examination.

Dr. Greenberg stated that due to this recommendation, the Board prepared draft regulations for replacing the oral examination with the California Jurisprudence and Professional Ethics Examination. In addition, the Board has scheduled two open forums to discuss the oral examination. The first forum will be held on Friday, July 6, 2001 in Los Angeles and the second forum will take place in Sacramento on Friday, July 13, 2001.

Dr. Greenberg reported that the feedback received by the Board, via emails and letters, indicates that 90% of those responses were in favor of replacing the oral examination.

Dr. Allison Parelman, a representative from the LASCAP, questioned whether the Board should move forward with such a significant change as replacing the oral examination so quickly after just recently making changes to the continuing education requirements and the supervised professional experience requirements. She wondered if it would be wise to wait to see the affect these changes make to the profession. She expressed concern that all of these changes could make it appear that California is lowering its standards for licensure as a psychologist.

Dr. Greenberg assured Dr. Parelman that this exploration of alternatives to the oral examination was in the discussion phase and that it will take some time to receive feedback on the idea, analyze the input and move forward with action.

#### **b. Other Post-Agenda Items for Discussion**

Dr. Greenberg indicated that the 2000/2001 performance appraisal for the Executive Officer of the Board will be prepared by the Personnel Committee and will be reported at the August 2001 Board meeting in closed session.

A copy of a letter to the APA Ethics Office was presented. In the letter, the Board noted that the only time that conduct with a former patient is addressed is regarding a sexual relationship with a former patient. The Board suggested that the Committee consider addressing the implications of other misconduct with former patients. Additionally, the Board commended the APA for the hard work and attention evident in preparing the revisions to the Code of Conduct.

The updated Board policy addressing Board Member Attendance and Reimbursement was presented.

A memorandum from the APA regarding the Commission of Education and Training Leading to Licensure in Psychology was presented. Dr. Greenberg reported that this memo was recently received by the Board and would need to be reviewed in depth and reported upon at the August 2001 Board meeting so that a response could be prepared by the September 2001 deadline.

## **Agenda Item #8 - Executive Officer=s Report - Mr. O=Connor**

### **a. Budget Update**

Mr. O=Connor reported that the Board=s budget has cleared both the Senate and Assembly with no problems. He noted that other Boards had experienced difficulties.

### **b. Judicial Council - Invitations to Comment - Spring 2001 Proposals for Changes to California Rules of Court and Judicial Council Forms to Become Effective January 1, 2002**

A memo was provided from the Judicial Council of California that outlined proposed changes to the California Rules of Court and Judicial Council forms. Mr. O'Connor reported that he had worked with the Judicial Council during their preparation of these proposals and that they essentially will provide for greater educational requirements in order to remain or become an approved Court-Appointed Child Custody Evaluator.

### **c. Other Post-Agenda Items for Discussion**

Mr. O=Connor indicated to the Board that a decision must be made regarding scheduling the 2001 strategic planning session. He asked if the Board desired to schedule a retreat in early December or did they prefer to schedule the session the day before the November Board meeting, which would be November 1, 2001. The Board all agreed to schedule the session on November 1, 2001 at 10:00 a.m.

## **Agenda Item #9 - Legal Counsel=s Report – Ms. Powell**

### **a. Other Post-Agenda Items for Discussion**

None.

## **Agenda Item #10 - Continuing Education Update - Mr. Thomas**

### **a. CE Program Review - 4/23/01 Meeting with MCEPAA**

Mr. Thomas presented a memorandum outlining recommendations regarding continuing education from the Continuing Education Committee. The recommendations came from a meeting between the CE Committee and representatives from the MCEP Accrediting Agency. Several ideas are still being considered by the CE Committee, however, the following are the proposed recommendations:

- 1) Accept continuing Medical Education (CME)
- 2) Accept APA Sponsor Approved Courses
- 3) Eliminate the Requirement for Participant Learning Assessment

#### 4) Relax the Requirement for Attendance Monitoring

M(Harmell)/S(Palarea)/C to direct staff to prepare regulations so that the above recommendations can be implemented.

Vote: 6-0

#### **b. Continuing Education Statistics**

Mr. Thomas reported that the continuing education non-compliance rate dropped from 10% in March to 8%. He indicated that overall, the non-compliance rate has steadily decreased.

#### **c. Other Post-Agenda Items for Discussion**

None.

#### **Agenda Item #11 - Regulation Update - Mr. Thomas**

##### **a. Current Rulemaking Files - Progress Report**

Mr. Thomas reported that the regulations heard at the November 2000 Board meeting, which provided for technical clean-up of the examination regulations, increased the EPPP fee effective July 1, 2001, and eliminated the CE credit for attendance at ASPPB meetings as a delegate of the Board, were approved by the Office of Administrative Law (OAL) and filed with the Secretary of State's office on April 5, 2001. These regulations became effective today, May 5, 2001.

Mr. Thomas went on to state that the Board currently has two rulemaking files in progress at the Department of Consumer Affairs (DCA). Both hearings were held at the March 2001 board meeting. One sets forth the authority to deny, suspend or revoke the status of a CE provider. The other sets forth the requirements for the computerization of the EPPP. Both files are currently in the Legislative Unit of DCA and should be submitted to OAL soon.

Additionally, Mr. Thomas indicated that a regulation hearing will probably take place at the August 2001 Board meeting regarding continuing education.

##### **b. Other Post-Agenda Items for Discussion**

None.

#### **Agenda Item #12 - Credentials Committee Report - Dr. Harmell**

##### **a. BUSH, Marshall, Ph.D. - Request for Alternative Plan for Supervision**

M(Credentials Committee)/C to approve Dr. Bush=s request for alternative supervision.

Vote: 6-0

**b. LYLE, Wendy, Ph.D. - Request for Waiver of the Chemical Dependency Course**

M(Credentials Committee)/C to grant Dr. Lyle=s request for waiver of the chemical dependency course.

Vote: 6-0

**c. SNYDER, Karen, Ph.D. - Request for Alternative Plan for Supervision**

No action required.

**d. TIRELLA, Michelle, Ph.D. - Request for Alternative Plan for Supervision**

No action required.

**e. Other Post-Agenda items for Discussion**

**CUBA, Sophia, Ph.D. - Request Waiver of Section 1381 of the California Code of Regulations**

M(Credentials Committee)/C to grant the request for waiver of the 45-day deadline required by Section 1381 of the California Code of Regulations.

Vote: 6-0

**GYSENS, Sabine, Ph.D. - Request Consideration of Hours Accrued Out of Country**

M(Credentials Committee)/C to request additional information regarding Dr. Gysens' supervisors.

Vote: 6-0

**Agenda Item #13 - Examination Committee Report - Dr. Rodolfa**

**a. Computerization of EPPP - Update**

In Dr. Rodolfa=s absence, Dr. Harmell reported that the Board is waiting for the proposed regulations allowing the computerization of the EPPP to be approved. It is expected that approval will come sometime in June, which will allow the exam to be given via computer as of

September 1, 2001.

**b. Computerization of Jurisprudence and Professional Ethics Examination - Update**

Dr. Harmell reported that the implementation for the computerization for the Jurisprudence and Professional Ethics Examination is scheduled from October 2001.

Mr. O'Connor reported that Mr. Thomas, Ms. Snyder, two other staff members and himself attended a simulation of the computerized Jurisprudence and professional Ethics Examination. He stated that it was a very positive experience.

**c. Correspondence**

Dr. Harmell reported that Dr. Rodolfa indicated that 90% of the email he received regarding the oral examination had been in favor of its elimination and replacement with the Jurisprudence and Professional Ethics Examination.

**d. Other Post-Agenda items for Discussion**

None.

**Agenda Item #14 - Enforcement Committee report - Ms. McMillan**

**a. Enforcement Statistics**

The enforcement statistics as of March 31, 2001 were provided. No significant indicators were present.

**b. Expert Nominations**

Ms. McMillan reported that the Enforcement Committee reviewed several expert application, however, they were unable to complete a review of all the applications submitted. The review will continue over the next week and will be reported at the August 2001 meeting.

**c. 2001 Expert Training - 3/30/01 at CPA Convention - Dr. Greenberg**

Dr. Greenberg reported that the annual expert training session was held as scheduled in March 2001. The training focused on the topic of the Standard of Care. Presiding Judge Joyce Wharton and Supervising Deputy Attorney General Adrian Panton participated as speakers. Copies of the materials provided and a recording and transcription of the presentation will be provided to those experts who could not attend. Feedback from the participants was positive.

**d. Other Post-Agenda Items for Discussion**

None.

**Agenda Item #15 - Legislation Committee Report - Ms. Early**

**a. AB 1616 (Wright)**

Ms. Early reported that this bill excepts from the statute of limitations the violation of sexual misconduct. Mr. O'Connor reported that a letter of support from the Board had been sent to Assembly Member Wright.

**b. AB 269 (Correa)**

This 2-year bill would change the appointing authority of an Executive Officer of a Board from the Board with Department approval to a separate three-person board. Additionally, this bill would create an oversight of board enforcement activities committee in the Department.

**c. SB 537 (Vasconcellos)**

The bill would create a board to regulate Alcohol and Drug Abuse Counselors. The exact language and details regarding this bill are still being worked out. Dr. Charles Faltz, representing the CPA, indicated that the CPA does have concerns regarding this bill.

**d. Foreign Degree Language**

Draft language for proposed amendment to section 2903 and 2914 of the Business and Professions Code was provided for review. The amendments would 1) remove the Afor a fee@ portion of the language that defines the practice of psychology and 2) re-institute the authority to review foreign degrees that was inadvertently removed by enactment of AB 400.

**e. Other Post-Agenda Items for Discussion**

**AB 805 (Shelley, Chan, Cohn, Diaz and Oropeza)**

This bill would require all State Agencies have a link on their website to a site that would translate its contents into foreign languages. Presently, the bill specifies Spanish and Chinese.

**SB 716 (Machado)**

This bill proves that the confidentiality rules that apply to psychotherapists would also apply to those who the consumer reasonably believes to be a psychotherapist.

**AB 1421, 1422 and 1424 (Thomson)**



Ms. Early reported that these bills affect the mental health profession by appropriating State funds to match mental health costs previously expended by individual counties. Additionally these bills would 1) establish a mental health advocacy agency; 2) require that mentally ill people comply with out-patient programs; 3) and establish a database for mentally ill people to keep track of effective and non-effective medications used previously.

Ms. Early will report on the progress of these bills at the August 2001 meeting.

#### **Agenda Item #16 - Consumer Education Committee Report - Mr. O=Connor**

##### **a. Website Statistics**

Statistics were provided for review.

##### **b. Consumer Brochure**

Mr. O=Connor reported that the consumer brochure is still at the printers. Once it is received, it will be mailed out to approximately 20,000 individuals and organizations.

##### **c. Other Post-Agenda Items for Discussion**

Mr. O'Connor reported that the Board=s website address has changed to [www.psychboard.ca.gov](http://www.psychboard.ca.gov).

#### **Agenda Item #17 - Election of Officers**

##### **a. President**

Ms. Palarea nominated current President, Martin Greenberg, Ph.D., to be re-elected as President for a second term.

It was M(Palarea)/S(Harmell)/C to re-elect Dr. Greenberg to a second term as President of the Board.

Vote: 6-0

##### **b. Vice-President**

Dr. Greenberg nominated current Vice-President, Emil Rodolfa, Ph.D., to be re-elected as Vice-President for a second term.

It was M(Greenberg)/S(Kalustian)/C to re-elect Dr. Rodolfa to a second term as Vice-President of the Board.

Vote: 6-0

**c. Secretary**

No action required

**Agenda Item #18 - Public Comment**

Dr. Allison Parelman asked why it takes 30 days for the results of the computerized EPPP to reach the Board. Mr. O'Connor explained that the Board of Psychology has no control over the speed in which the national written examination scores are reported because the Board is not the owner of the exam. The Board has been informed by the examination service of the time frames for reporting.

Dr. Charles Faltz, representing the CPA, expressed concern that many of the 2002 Board events coincided with CPA events. Mr. O'Connor explained that the Board's calendar is decided a year and a half in advance since, as a State agency, the Board is limited in selecting locations and is required to begin the contract process very early.

Dr. Greenberg thanked Jo Linder-Crowe, of APA, for her assistance and knowledge regarding continuing education and her willingness to participate in the discussions of the Board's Continuing Education Committee.

It was M(Kalustian)/S(Palarea)/C to adjourn the open session meeting.

Vote: 6-0

The open session meeting adjourned at 10:50 a.m.

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Martin Greenberg, Ph.D.  
President

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Date